



Department for
International Trade



Department for
Business, Energy
& Industrial Strategy

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23 September 2021

Dear Chris, Jeremy, and Jenny,

Thank you again for your continued engagement on the Professional Qualifications Bill, and for the helpful discussion we had earlier this month. I was pleased to hear that we are making progress on the areas of the Bill we discussed.

I wanted to follow up on the points raised regarding the relationship of the Privy Council and the Bill. These were with particular reference to those few chartered bodies who meet the Bill's definition of 'regulator', over whom the Privy Council may have a supervisory role.

This Bill affects those professions that are regulated by law. Most of the bodies which regulate these professions are not chartered bodies. There are, however, a small number of chartered bodies who meet the Bill's definition of 'regulator'.

The Privy Council does not itself meet the definition of 'regulator'. Although it may have some supervisory functions in relation to certain regulators, it does not have functions under legislation that relate to the regulation of a profession itself.

I am not aware of any instance in which the provisions of the Bill, or regulations which could be made under it, would cut across or supersede any role played by the Privy Council in supervising chartered bodies. If regulations made under the PQ Bill affect a profession whose regulator is a chartered body, those regulations would amend the legislation which causes the profession to be regulated by law, not the Charter itself.

In some cases, you understood that the Privy Council needs to approve the level of fees which a chartered body charges for regulating a profession. Regulations made under Clause 1 of the Bill could include "provision for fees to be paid in connection with an application". You therefore enquired whether it would be regulations made under this Bill, or the Privy Council, which would determine if a chartered body could raise fees to cover the costs of assessing an overseas professional.

Regulations under Clause 1 would only give a regulator the ability to charge fees. They would not require a regulator to charge fees or set the level of those fees. The Privy Council may take a view that the chartered body should not charge any additional fees. In that instance, the chartered body would simply not use the provision in the regulations which gives them the ability to do so.

I hope that this explanation helps to reassure you that the Charters for chartered bodies who are regulators will not be impacted by the PQ Bill, nor will the relationship between the Privy Council and chartered bodies.

A copy of this letter will be deposited in the library of the House of Lords.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Grimstone', written in a cursive style.

Lord Grimstone of Boscobel, Kt
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